

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

ROBERT SIZEMORE)	CASE NO.: 5:06CV2926
)	
Plaintiff,)	JUDGE JOHN ADAMS
)	
v.)	
)	<u>MEMORANDUM OF OPINION</u>
STEVE PREDOJVEV, et al.,)	<u>AND ORDER DISMISSING</u>
)	<u>PLAINTIFF'S COMPLAINT</u>
Defendants.)	

Robert Sizemore filed a pro se complaint against Defendants pursuant to 42 U.S.C. § 1983, 42 U.S.C. § 1997a, and 42 U.S.C. § 12112(a), the Americans with Disabilities Act. On April 6, 2007, the case was referred to Magistrate Judge George J. Limbert for preparation of a report and recommendation. *See* Order (Doc. 4). On August 7, 2007, the Magistrate Judge submitted a Report and Recommendation (Doc. 7) recommending that Plaintiff's complaint be dismissed for failure to perfect service.

Fed. R. Civ. P. 72(b) provides that objections to a report and recommendation must be filed within ten (10) days after service, but neither party has filed any such objections. Therefore, the Court must assume that the parties are satisfied with the Magistrate Judge's recommendation. Any further review by this Court would be a duplicative and inefficient use of the Court's limited resources. *Thomas v. Arn*, 728 F.2d 813 (6th Cir. 1984), *aff'd*, 474 U.S. 140 (1985); *Howard v. Sec'y of Health and Human Servs.*, 932 F.2d 505 (6th Cir. 1991); *United States v. Walters*, 638 F.2d 947, 949-50 (6th Cir. 1981).

Accordingly, the Report and Recommendation of the Magistrate Judge is hereby adopted. Robert Sizemore's complaint will be dismissed.

The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an appeal from this decision could not be taken in good faith, and that there is no basis upon which to issue a certificate of appealability. 28 U.S.C. § 2253(c); Fed. R. App. P. 22(b).

IT IS SO ORDERED.

August 30, 2007
Date

s/ John R. Adams
John R. Adams
U.S. District Judge